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THE INFLUENCE OF FEDERAL UNIONS ON THE PEACE OF THE WORLD.

THE framers of the American Constitution, the inventors or discoverers of the federal form of government, have attained a high place in the halls of fame. Their work has been recognized the world over as a most important addition to the science of government. Volumes have been written on the advantages it presents for the union of numerous adjacent states into one greater and more powerful state, which, without sacrificing the proper independence of its component states, enables them to present to the world a united front against enemies, or to pursue a destiny of world power, supremacy in commerce and wealth, or colonization, which would be impossible of achievement did they remain disunited. Many countries also have carried into practical effect the promises held out by the federal form of government, until today a very considerable proportion of the nations of the earth, and among them several of the most powerful, are under this form of government.

The Argentine Republic, the Australian Commonwealth, Brazil, Canada, the German Empire, Switzerland, and the United States have adopted this means of uniting numerous smaller and less powerful units under great and influential governments. Nor in this enumeration ought the British Empire to be wholly omitted, for while it is not in form a federal government it is in large measure animated by the same spirit that animates such federations,—the spirit of surrender to the central government of all those powers necessary for the conduct and protection of the common interests of all, while leaving to the individual units

of the Empire that independence and sovereignty with regard to local affairs which must form the foundation of a federal government.

But despite the volumes written about federal systems of government and speeches and debates upon the subject, there is one aspect of these federations, for a discussion of which the investigator may look in vain—perhaps because of its obviousness,—that is, the tendency of a federal union to preserve the peace between its component states.

Who thinks of the German Empire as having been organized into a federal union for the purpose of keeping the peace between the many States that compose it? Bismarck's claim to fame rests not upon the fact that he has prevented wars between the German States through the federal union he created but rather upon his creation of a single powerful and aggressive state.

Or who remembers that in all the history of the many federal governments during the last hundred years, there has been only one instance of war breaking out between the component states of any federal union? The one exception is the case of the great war of 1861-65 between the States of this Union,—a war due to a sincere difference of opinion between the States as to the proper interpretation of the federal Constitution with respect to the right of secession. It would be scarcely possible for one who knows the American people to believe that if the Constitution had explicitly affirmed or denied the right this war would ever have occurred. And now that the right of secession has become practically *res adjudicata*, it is still more difficult to conceive of circumstances that would lead to another war between the States of this Union.

One has only to take any one of these federal unions and consider the circumstances to marvel at the phenomenon it presents,—numerous states and sovereignties lying side by side with never a thought of even the possibility of war between them, while the independent nations of the world are either engaged constantly in war, or fearing and preparing for it.

This is a phenomenon which richly deserves investigation since in the solution of the problem may lie concealed the secret

of permanent and universal peace among the nations. If nearly fifty great States, composing the American Union, can exist side by side for half a century without war or thought of war, without aggressions upon each others' territory or commerce, without armaments for self-defence against each other, the reflecting mind may well ask why can not the states of Europe or of the whole world do the same thing, if the right principles of government be applied?

What then is the secret? What properties does the federal union possess to induce so great a modification among its component states of the ordinary national passions, ambitions, and aspirations that lead to war between nations as effectually to eliminate the necessity or desire for war as between them?

To such questions as these it is the purpose of this article to attempt an answer; and to that end it is proper, first, to inquire, what are the causes or motives that have induced wars between nations or states, as revealed in history; and second, to consider what practical effect a federation of states exerts, as between the states thus united, upon those motives or causes of war, sufficient to dissipate them entirely or at least to rob them of their power to hurt.

A careful analysis of the causes or motives that induce wars between nations—omitting from consideration civil wars; and wars *bona fide* waged for self-preservation or in behalf of another oppressed nation (neither of which could occur if the other party to the war were not unjustified in the conduct leading to it)—will show that all wars other than those first mentioned spring from one or more of the following sources:

1. The lack of a proper international morality; so that nations scarcely hesitate to engage in conduct towards other nations which men of ordinary civic morality would be ashamed to stoop to with regard to each other;
2. National cupidity, with reference to territory or trade;
3. National ambitions, military or political;
4. National pride;
5. National prejudices and ignorance of the ideals and characteristics of other nations:

6. National jealousies and suspicions; and

7. The absence of an assured method of determining *bona fide* disputes between nations otherwise than by a resort to force.

These then, singly or more or less concurrently, being the causes of all unjust or improper wars between nations, let us next consider the essential qualities of a federal union of states and see how these qualities may operate, as between the states concerned, to eliminate or render harmless these warlike influences.

What then are these fundamental and inherent qualities of a federal union? If we turn to the existing federations for an answer, and examine them to discover those attributes that are common to them all, we must find among these the particular principles necessitating this like effect.

The most important of these common phenomena which would strike the attention of the observer is the fact that all such unions have adopted the principle of a surrender to the federal government of certain powers, the exercise of which would be of common interest to all the component states, with a correlative reservation of independence to those states in all matters of local concern only.

And always among the *powers surrendered* by the nations severally we find the power to control war; the power to control commerce between the component states and with foreign nations; the power to impose duties on goods imported or exported, and to expand their territories without the consent of the federal government; the power to make at least certain kinds of treaties; the power to keep armaments, unless subject to the control of the federal government; and the power to determine for themselves the mode and measure of redress for alleged wrongs committed by sister states of the union, such disputes being made justifiable by a tribunal constituted for the purpose, whose decrees may be backed by the combined force of the states in the union.

Other powers also, having no special relation to the preservation of peace between the component nations or states, are conferred upon the federal government, such as the control of the currency, banking, copyrights, and other *national*, but not war-

breeding powers, and varying in number and degree with the grade of national strength and centralized power it is desired to create in the federal government. With these, this investigation has no concern, since they bear no relation to the causes of war.

It is among the first class of powers we must look to find the reason for the fact that by federation many states have been able to save themselves from the horrors of war as among themselves. Reviewing these powers as they have been enumerated above, it is impossible to select any as not fulfilling an important part in the accomplishment of this result.

May we not, then, justly conclude that, in the formation of a federal union for the preservation of peace among the component nations, it would be unsafe, to say the least, to omit any of these from the powers to be granted to the proposed federation and surrendered by the component nations? It may or may not be found convenient and proper to include other powers also, but these at least should always be included.

Bearing in mind these powers that, in all existing federal unions, have been surrendered by the component states, we are in a position to take up *seriatim* the causes or motives of war between nations and consider how the existence of a federal union operates to minimize these influences, and render them harmless, as between the nations concerned.

1. *National Immorality*.—The first of these causes of war, as before enumerated, is *national immorality*.

In the first stages of every primitive society there is a period during which the laws protecting individual rights are but vaguely defined and weakly enforced. Each man's ability to hold his own depends upon his strength or cunning, or upon the alliances he can form with others for common protection.

But as the society becomes more stable and civilized, influences begin to work which alter the individual's condition for the better. A spirit of coöperation and mutual aid and dependence takes the place of the previous spirit of rapacity; common interests makes men more friendly; suspicion and distrust give way to mutual confidence; selfish ambition and cupidity yield more or less to an appreciation of the rights of others; and

violence surrenders dominion to the gentler arts of reason and peace.

What is the cause of this great change in the general attitude of man? It is the rise and development of *Law*, divine and human, and the proper enforcement of justice and right. This marks the birth of a social or civic morality among men, unknown to the era of lawlessness and of the personal application of the maxim that might makes right.

All individual morality is based upon four broad foundations: The fear of consequences, the hope of reward, hereditary predispositions and environment. All these are directly or indirectly supplied and built up by the operation, as between man and man, of just and wise law, firmly enforced by a superior power.

So long therefore as we suppose men born without hereditary predispositions towards justice and respect for the rights of others; surrounded by others with as little conception of such ideals as themselves; owing such ease, comfort and happiness as they enjoy to violence and the unjust disregard of others' rights; and strong enough to be devoid of much fear of consequences—we have a condition in which ordinary morality and the dictates of reason and justice can find but little root.

But with the advent of law, properly enforced, protecting the weak against violence and punishing the oppressor, all this is changed. The teachings of divine law arouse the conscience, while the fear of certain punishment under human law suffices to deter most men from its ruthless violation. The hope of reward ceases to lie in the violent or fraudulent taking of the property of others, but finds its source in the acquisition of goods by the honest labor of men secure in the peaceful possession of their own, or in their desire to obtain and to deserve the good opinion and plaudit of their fellows, and the approval of their own consciences. It is soon discovered that these constitute much greater rewards than could be obtained under the old system of lawlessness and license. And as these influences spread amongst men, they speedily become reinforced by those of hereditary predisposition to just dealings and peaceful conduct, and of an environment of the like kind.

Thus it is that the advent of law brings about a condition among men in every civilized society by reason of which violence and private wars among them are rare.

There is a family or society of *nations*, but its condition is closely akin to that of the primitive societies of man to which allusion has been made. As yet the nations, in their dealings with each other, have by no means advanced along the road of moral conceptions as far as has the individual unit of society.

Nor is this to be wondered at when we remember that the nations generally have not been subjected to the influences that make so strongly for the development of the morality of the individual.

The laws governing international relations have not the sanction of a superior power. They are vaguely outlined and are obligatory only so long as the nations' self-interests demand their recognition. The only well recognized law among them in the past has been that might makes right. Accordingly, much the same phenomena present themselves in this society of nations as in that primitive society of men already referred to.

The strong nation, unafraid of consequences, despoils the weaker of its territory, its independence or its wealth; and finds its highest reward in the violent or fraudulent acquisition of the property of its neighbors. Its environment is not such as to improve these tendencies, since all the rest of the society of nations think and act like itself, or would do so under the same circumstances. Nor is there any influence bearing upon the nation analogous to the hereditary predispositions to just and right dealings, which operate so powerfully to create and keep alive individual morality.

Hence in the society of nations, as in that of primitive man, we find the same tendencies to violence, rapacity, cupidity, ruthless ambition, suspicion, constant injustice, constant conflicts.

That the absence of social morality among nations is due to the absence of law and a superior power adequate to enforce it, is seen from the fact that within the last century there has been a considerable development of it, synchronizing with the many international congresses and conferences held for the purpose of discussing and adopting laws to regulate international rela-

tions,—and this, despite the fact that but very inadequate and imperfect instrumentalities have as yet been devised for the enforcement of the laws made.

But much more important and valuable testimony to the fact that international morality is developed in the presence of effectual and enforceable law is to be found in the practically complete success with which the various federal unions of the world have substituted, in the place of the vindictive national passions that would soon engender war between the component states if left to themselves, a spirit of coöperation and friendly emulation for the common weal entirely unknown as between separate nations. The advent of enforceable law is thus seen to produce much the same effect among nations as among individuals.

The federal government, backed by the majority of the component states, would always be stronger than the one or two states whose immoral conduct towards the others might threaten the general peace; and the powers conferred upon the federal government and surrendered by the component states are always such as to give the legal control of such a situation to the federal government. By virtue of these devices, as between the nations or states composing the federal union, the reign of international lawlessness and license is abrogated, and the dominion of law established.

It would be impossible, for example, to imagine the spectacle of Virginia concentrating troops upon the borders of Maryland, or sending an expeditionary force thither, to rob her of territory by violence; equally so to imagine her attempting or desiring to take it by fraud or chicanery, or to rob her of her trade or commerce. Such a course is unthinkable. And yet it is a course of conduct regularly and constantly pursued as between independent nations. It is just such an attempt as this that has brought on the great war in Europe.

2. *National Cupidity*.—National cupidity, or the undue desire for national aggrandizement either in respect of territory or trade, or both, is a fruitful source of international strife.

This desire for territory may arise from the wish to exploit its resources or trade to the enrichment of certain classes in the

state, or from the wish to secure other supposed advantages in commerce, such as convenient shipping ports or monopolies of trade with the people inhabiting, or adjacent to, the territory; or it may spring from the assumed military advantages to accrue to the nation from its possession; or from the supposed political strengthening of the nation arising therefrom, such, for example, as the chance it affords to have the nation's surplus population migrate thither, remaining under the original flag and allegiance, rather than through their emigration to another country to lose all future benefit of that population.

This national yearning for increased territory is neither improper nor calculated to stir up strife between nations as long as it is confined to territory not in the present possession of any other nation. But unfortunately in modern times all the desirable territory of the world's surface is possessed and occupied; and hence any present national desire of this sort must content itself with the acquisition of undesirable territory, or else must look to the forcible or fraudulent acquisition of the territory of another nation, to which the former has no right save that of predominant might. The consequence is that in proportion to the desirability of the territory upon which a nation has fixed the eyes of its affection is the danger of war in order to obtain it. And whether, as an economic or military question, the territory when obtained is worth the cost of securing it is a matter generally lost sight of in the final outcome.

It is to be observed that if component nations were to be united in a federal union and surrender their right to impose duties on imports and exports and other restrictions upon international commerce, and also their war powers, all need, and the corresponding desire, for increased territory would at once vanish, as it has between the American States, and this cause of war, as between such nations, would be abolished. This has been the experience of all existing federal unions.

The same principle would also apply, under similar conditions, to abolish causes of war between such nations resulting from national desire for increase of trade. By giving the control of the international commerce of the nations concerned to the combined nations as represented in a properly organized federal gov-

ernment, as every existing federal constitution does, the temptation is removed from the several component nations to use unfair and unjust means to promote their own commerce at the expense of their neighbors, so that justice and right will on the whole prevail in such regulations rather than injustice and greed; and thus another fruitful source of war has, as between those nations, been abolished, and trust and confidence between them has to that extent replaced suspicion and jealousy.

3. *National Ambition*.—In the next place, national ambition either for military or political greatness is a constant source of aggression and war. These are indeed, in the last analysis, one and the same. For while it is possible that national political aggrandizement may be attained by other methods than the military, it is always true that the ultimate purpose of national military success is a political, and usually a territorial or commercial, aggrandizement.

But if the effect of a federal union is to abolish, as between the component nations, the temptation to acquire territory or to augment the national commerce by violent or unjust means, the national desire for political predominance is thus deprived of all its noxious consequences, and nothing of it is left but the beneficent ambition to shine in ability and usefulness to the common weal among the sister stars of the same constellation.

4. *National Pride*.—The same results follow in the case of national pride as a cause of international war. As between independent nations, there is no surer way of bringing on war than to offer an affront to this pride, because each nation is jealous and suspicious of the other, and fearful that should it show the least sign of weakness or fear, other nations are ready to pounce upon it, or at least ready to entertain doubts of its courage and to impose unjust and improper demands. It is because of this quickness to resent offenses to national pride, even at a cost perhaps ruinous to themselves, that the nations are so punctilious in their dealings with one another. Slight departures from established international customs with regard to these matters may produce misunderstandings and perhaps war.

The federal union, as between the nations composing it, sup-

plies the remedy for this, not by destroying national pride and patriotism, but by removing the necessity for a prompt resentment of an affront offered by another component nation. Just as a man, living in a civilized community and knowing that the law protects him from unprovoked violence, may afford to overlook an affront to his dignity rather than go to the extreme limit of killing the offender to avenge it, so a nation which is a member of such union, aware that neither the offending nation nor others would be permitted to use force against it, might afford to overlook the offense. But as a matter of fact such affronts would never be likely to occur, unless by accident or misunderstanding, for all temptation to offer them would be lacking.

5. *National Prejudice and Ignorance.*—The next cause of international war, as before enumerated, arises from national prejudices and ignorance of the ideals, the virtues, and the characteristics of other nations. Not that this of itself often forms a motive for war, but it sometimes powerfully coöperates with other influences in producing wars,—wars which would never occur, if the nations involved well understood each other's point of view.

As between its component nations, a federal union presents more or less of a relief from these national prejudices and misconceptions. The representatives of these states are constantly thrown together in the conduct of the federal government; and the nations themselves are continually coöperating in various ways under the common laws and policies, and are necessarily thrown into much more intimate relations than would be probable had they remained entirely independent. The freedom of trade, the absence of friction in the mutual intercourse of their citizens, and a hundred other influences are constantly at work to lead them to a better understanding of each other.

It is true that this tendency,—strongly marked in all of the existing federal unions, composed as they are of states whose people are usually of the same nationality, speaking the same language, possessed of much the same laws and political institutions,—might not be actually so pronounced in a union composed of nations differing radically in these respects; but there

can be little doubt that the beneficial effects in the latter case would be proportionately as great, and probably much greater as the prejudices and misconceptions to be removed would be so much the more extensive.

6. *National Jealousies and Suspicions.*—Next in our enumeration of the causes of war come international jealousies and suspicions. To establish that these, perhaps with no sound basis for them, suffice sometimes to cause war, we need look no further than to the titanic European struggle. It might well be, and to the impartial neutral observer it seems probable, that the national suspicions and jealousies on all sides that caused the war were not based on real facts. That the convictions and assumptions of the several nations concerned were erroneous is entirely immaterial if those nations were actuated by them. The war would certainly have followed, whether or not the various assumptions were sound.

What this stupendous calamity does prove is, in the first place, that wars may originate in international suspicions and distrust, whether based on true or false premises; and, in the second, that if these nations had been united by an effectual compact of federal union, by virtue of which they would have been under no temptation to rob one another of territory or to extend their commerce by forcible, fraudulent or unfair means, at each other's expense, it would have been impossible for them to have entertained those suspicions, and there would have been no war.

Indeed, without this concrete illustration, the conclusion is a necessary one that if a federal union has the effect, as between the component nations, of abolishing all the other causes of war heretofore discussed, it must also destroy that which grows out of international jealousies and suspicions, since such distrust can only exist upon the fear of unjust and aggressive attack induced by some of the motives before mentioned. There are no others that have been revealed in history except the last one of our enumeration, which we are now briefly to consider.

7. *Absence of Adequate Peaceable Methods of Redress of Bona Fide Grievances.*—The seventh and last of the enumerated

causes for war is the lack of any assured method of peaceably and finally determining *bona fide* international disputes.

In the existing conditions of international relations, it is true, attempts have been made to supply means of settling such disputes by the establishment of the Hague courts of arbitration. These have been quite successful in a certain class of cases,—cases wherein the differences of the contending nations are due to their respective interpretations of disputed facts or disputed principles of law, and do not involve important political consequences. But these tribunals have proved themselves totally inadequate to deal with cases of such political nature that neither contending nation is willing to surrender the decision of the question out of its own hands, or where one is suspicious that the antagonist might be unwilling to abide by the decision reached.

Less successful attempts have also been made by the Hague Conference to establish a real international court for the settlement of such disputes, but the plan has broken down in the face of the double obstacles of inability to organize the court upon lines satisfactory to the nations, and to provide any properly organized international force to execute its mandates. So far as relates to this class of non-arbitral disputes, it is manifestly essential to establish some device for their final adjudication, or else war, as the final arbiter, is not only always possible, but may sometimes become necessary.

No existing federal union has found it very difficult to establish such a court and clothe it with the power to pronounce final decrees which, if necessary, may be enforced through the exercise of the combined power of the states in union. The federal constitutions having already removed all the unjust and oppressive causes of war between the component states, no potential conflicts remain except those arising in respect to matters of strict legal right, and these may readily be solved through judicial proceedings.

Thus, whether we view the success of federal unions as preventives of war from the standpoint of human experience or from the *a priori* standpoint of natural cause and effect, the

conclusion is the same. Political science can point to few principles more firmly established than that such unions prevent wars between the component nations,—not through the application of actual force or the invasion of the just and proper independence of the states concerned, but by substituting international law for international license in the regulation of their conduct toward one another, thus converting the riotous and tumultuous tide of human passions into the calm and deep flowing streams of human reasonableness and justice. And all this may be accomplished without the sacrifice of the real independence, the welfare or the prosperity of the nations concerned, but always, experience has proved, greatly to their advancement.

A serious proposal of the adoption by the nations of the world, or by the leading nations, of a federal form of government would doubtless be met by the nations themselves with fear, jealousy, suspicion, doubt, and perhaps ridicule. However it might be regarded by the people who must bear the burdens of armaments and war, crowned heads would probably resent the idea of any power which might in any sense be said to be superior to their own; and rulers and people alike would fear that in surrendering the necessary powers to the federal government they might be sacrificing the proper independence of the nation; that the federal government might become a Frankenstein,—a monster of usurped and colossal powers, threatening to destroy its creators; that other nations or combinations of nations might obtain control of this great machine and use it to their own aggrandizement and to the detriment of the helpless minority; that the larger and more powerful nations might combine to tyrannize over the weaker, though perhaps the more numerous, members; or, on the other hand, that a majority of the weaker nations might override the wishes or threaten the rights of the minority of stronger members.

But all such arguments lose much of their force when it is remembered that the same objections have been raised to the organization of every existing federal union, yet in each case the fears have been proved by actual experience to have been without foundation, in each case it has been found that the checks

and balances provided in the organization of the federal government have sufficed to avert the dangers anticipated. The case of the United States is the exception that serves to prove the rule, and with the removal of the single cause of difference in that case, it attests the principle in common with the other federations of like character.

Before the nations could be induced to assent to any plan of union, however, it must be shown that it contains within itself such checks and balances as will fully protect them against the unjust and unconstitutional aggressions of federal power; the minority of the nations in the union against the improper action of the majority; the more numerous, but weaker, nations against the acts of the stronger, and *vice versa*; and the reserved rights of a single nation even, when invaded by the unanimous aggression of all the rest. These, and many other, safeguards must be provided in any plan that would prove acceptable.

The difficulties in devising such a plan are admitted to be great, but in the light of experience afforded by the constitutions of existing federal unions, especially that of the United States, and a careful analysis of existing international conditions, it would seem possible to propose a plan which might at least serve as a basis for discussion, however far removed it may be from the ideal form so solemn and important a compact should take.

The limits of this article, already exceeded, forbid the discussion of the many interesting and novel questions presented by the consideration of the organization of such a federation, the powers to be conferred upon it, the limitations upon those powers, the limitations upon the powers of the component nations, the most appropriate mode of amending such a constitution, the method and conditions of establishing it, and the many checks and balances necessary to prevent excesses of power on the part of the federal government or the component nations, respectively; the first of which might result in too great a centralization of power in the federal government and a corresponding loss of independence on the part of the component nations; the second, in too great reserved rights in the states, and a corresponding tendency toward national intolerance of all checks upon abso-

lute sovereignty and toward consequent disunion. The discussion of these important questions must be reserved for another time and place.*

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*EDITOR'S NOTE: This article is taken substantially from the introductory chapters of a book, entitled "The Republic of Nations," by the same author, shortly to be published, in which all these problems will be discussed in detail.